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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are not persuasive. Applicant argues on page 8 that Eyer does not teach the amended claimer feature of, 'displaying a major channel as a separate digit from the minor channel numbers'. Examiner respectfully disagrees and points out that Eyer meets the claimed subject matter in at least two instances.

In the first instance, even though applicant argues that the format disclosed by Eyer of "ABC-1, ABC-2 or 10.1, 10.2" does not read on 'separate instance', examiner respectfully disagrees. This is because in the literal sense, the number "10.1" is two separate digits, i.e., "10" and "1". Thus, since the major channel number is separated from the minor channel number, by a decimal point or hyphen, it is asserted that it is correct to interpret two separate digits.

In the second instance, Eyer clearly shows an example in Table 2, that channel number that corresponds with the primary or major channel is 10, whereas the channel numbers that correspond wit the secondary or minor channels associated with the particular major channel are 111-113. Eyer goes on to teach in col. 6, lines 56-67 that the subscriber may enter the channel number (in the range 1-999) directly from the remote control. Therefore it is clear that the major

Art Unit: 2611

channel numbers may be listed separately from the minor channel numbers in Eyer, and are indeed separate digits, as presently claimed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 8-11, 13, 17-18 & 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Eyer, (U.S. Pat # 5,982,411).

Considering claims 1 & 7, the amended claimed method for displaying channel information on a digital TV for receiving digital multichannel TV broadcasting, comprising changing a current channel to a demanded major channel outside of an EPG environment in response to a demand to change a major channel, is met by the disclosure of Eyer, which for

Art Unit: 2611

instance, discloses a user changing a channel from CH-8, to CH-9, to CH-10, using the Channel-Up technique, col. 4, lines 22-28 & col. 5, lines 1-30.

As for the additionally claimed feature of automatically displaying on a TV screen, the minor channel numbers of programs received through the currently selected major channel and a number of the major channel number Eyer, discusses that the user steps through the channels 111-113, which correspond to sub-channels of an ABC group of channels; see col. 5, lines 28-45 & col. 9, lines 14-65.

Regarding the specifics of displaying the channel numbers on the TV screen, Eyer also discloses actually displaying the list of sub-channels; see col. 9, lines 65-68 thru col. 10, lines 1-8.

In particular Eyer, in Table 2 shows that the channels numbers may be represented in the format of:

major channel # - minor channel #.

Table 2 of Eyer also shows that the virtual number, which is the number that the subscriber enters, are numerals between 1-999. Thus, for example, the major channel number is "10", whereas the associated minor channel numbers are 111-113.

Art Unit: 2611

For example, Eyer show that they may be displayed as, ABC-1, ABC-2, ABC-3; or 10.1, 10.2, 10.3; or similarly, 10-A, 10-B, 10-C, col. 9, lines 55-65 thru col. 10, lines 1-15. Thus the claimed feature of; 'a number of the major channel', is broad enough to read on the disclosure of Eyer, which displays the major channel #, along with the minor channel #.

Considering claims 2-3, Eyer teaches displaying the minor channel numbers in order of number, and after the currently selected major number, col. 10, lines 1-15.

Considering claims 8-9, the claimed subject matter also reads on Eyer, col. 10, lines 1-8.

Considering claim 10, the instant claim reads on displaying the TV program from the channel of the lowest minor channel number, after the instant channel is selected, which is necessarily included in Eyer.

Considering claims 11 & 13; see col. 9, lines 14-58.

Considering claims 17-18, the claimed apparatus and device for displaying channel information on a digital TV, comprising elements that correspond with subject matter mentioned above in the rejection of claim 1, are likewise treated.

Art Unit: 2611

Considering claims 20 & 21, the claimed features of displaying non selected minor channel numbers or all of the minor channel numbers of the currently selected major channel numbers is also met by the disclosure of Eyer, col. 10, lines 1-15.

Considering claim 22, in Eyer only the major channel # of the selected channel is shown, not the major channel number of unselected channels, which reads on the claimed subject matter.

4. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer, in view of Etheredge, (U.S. Pat # 6,172,674).

Considering claims 4 & 6, Eyer does not teach hiding the major or minor channel numbers after a prescribed time has elapsed. Nevertheless, Etheredge provides a disclosure of removing a particular pop-menu that has been activated by the user, after a certain time, if a channel selection or menu item selection has not been made, (col. 13, lines 26-50; col. 14, lines 4-40; col. 15, lines 10-25). It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Eyer with the technology taught by Etheredge, at least for the known advantage of reducing the amount of extraneous information displayed to the viewer, since after a certain amount of time it may be assumed that the viewer is no longer interested in making a channel change from the menu displayed on the TV screen.

Considering claim 5, see Eyer col. 10, lines 1-10.

5. Claims 12 & 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer, in view of Keenan, (U.S. Pat # 5,161,023).

Considering claim 12, the instant claimed feature reads on an endless loop operation such that once the user gets to the top of a list of programs, the next program to be highlighted (selected), would be the program at the bottom of the list, and vice versa. Keenan (col. 1, lines 51-59) discloses such a technology. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Eyer, with the known technology of 'wrap around' lists as taught by Keenan (Fig. 3A; col. 3, lines 40-52), at least for the desirable purpose of avoiding the user having to move the cursor in the other direction in order to reach the opposite extreme of the instant list, which would be burdensome on the user, at least in the case of long lists of programs.

Considering claim 14, as discussed above in the analysis of claim 12, it would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Eyer with the well known 'wrap around' technology disclosed in Keenan (Fig. 3A). However, claim 14 requires the additional step that a user is automatically connected to a succeeding or preceding list of minor channels, depending on whether the user's cursor is currently selecting the highest minor channel or lowest minor channel, respectively of the currently active minor channel list. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the combination of Eyer & Keenan to move to a next list of

Art Unit: 2611

channels, at least for the desirable advantage of avoiding the user having to manually select the next list of channels.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2611

Any response to this action should be mailed to:

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or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

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Reuben M. Brown



**HAITRAN
PRIMARY EXAMINER**